

**REMARKS**

Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 are pending in the current application. Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 currently stand rejected, and claims 1 and 26-29 have been amended. Reconsideration and withdrawal of the rejections to claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 are respectfully requested in light of the preceding amendments and following remarks.

**Examiner Interview**

Applicants thank the Examiner for his time and consideration in granting and conducting the interview of March 16, 2010. During the interview, the parties discussed a proposed amendment to the independent claims to distinguish over the Ando reference. Particularly, Applicants suggested an amendment to more clearly recite a browsable slideshow where images can be changed but the music keeps playing, but the Examiner indicated that he interpreted and had applied Ando to disclose exactly this functionality in the claims as previously presented. Particularly, the Examiner stated that paragraph [0334] of Ando was controlling the definition of the audio still video as including only video/thumbnail picture data. Applicants disagreed and offer further comments below as to how Ando cannot be reasonably interpreted in this manner. Applicants have further amended the claims in a different manner in an attempt to distinguish over other applied references.

Claim Rejections – 35 U.S.C. § 103

Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2002/0164152 to Kato et al. (“Kato”) in view of US Pat Pub 2001/0046371 to Ando et al. (“Ando”) and US Pat Pub 2001/0056580 to Seo et al. (“Seo”). Applicants respectfully traverse this rejection for the reasons detailed below.

In claim 1, the Examiner applies Clips of an AV Stream in Kato to disclose “a first clip stream file.” Applicants respectfully submit that claim 1 has been amended to clarify that “the first clip stream file **not including audio data.**” Kato, however, discloses that the AV Stream in **each of its Clip files includes audio data.** See Kato, FIG. 7 (Clip1 in Main AV Stream), ¶¶ [0022] (“AV stream file including the picture data and audio data associated with the picture data”), [0170] (“one AV stream and the ancillary information thereof, paired together, is deemed to be an object, and is termed Clip”). Thus, Kato lacks video-only clip files as recited in claim 1 as amended.

Claim 1 is further amended to recite “the still picture unit configured to be reproduced asynchronously from the audio data, the still picture unit configured to be reproduced without reproduction of the audio data.” The Examiner applies only Ando to teach audio/video independence. Applicants offer the following remarks to illustrate how **the still picture data in Ando is always reproduced simultaneously with audio data.**

Ando repeatedly states that video data, in the form of thumbnail pictures, is simultaneously/synchronously displayed with audio data playback.

See, e.g., Ando ¶¶ [0016]-[0017] (“still pictures which are to be displayed simultaneously upon playing back a given audio track”), [0080], [0093]; FIG. 6A-6B, pictures. Ando does disclose a situation where no still pictures are reproduced with audio reproduction. See Ando ¶ [0230]; FIG. 15, step S5, “No” option. However, Ando never discloses or suggests thumbnail reproduction without audio. See Ando, *generally*. The Examiner points to a random reproduction of ASVOBs containing still pictures, in paragraphs [0334] and [0335] and FIG. 28A of Ando, as independent and/or asynchronous thumbnail picture reproduction. While this functionality of Ando may permit skipping around among various thumbnail pictures, corresponding **audio is always reproduced with each thumbnail picture**. Particularly, each ASVOB contains a thumbnail picture and is reproduced with corresponding audio. See Ando, ¶¶ [0443]-[0445] (“Audio still video ASV is still picture data to be presented together with audio data”); FIG. 37. The random picture functionality in paragraphs [0334] and [0335] and FIG. 28A does not alter this correspondence; the random ASVOBs are still reproduced with a cell including audio data. Compare Ando, FIG. 28A, PGC#3, cell with corresponding ASVOBs with Ando, FIG. 7, elements (a), (b); FIG. 40; ¶¶ [0466]-[0469] (ASVOBs always coordinated with audio tracks in PGC). Thus, if a user jumps between multiple pictures, at each jump, audio for the jumped-to thumbnail will start playing. If a user causes random pictures to be displayed, audio for each randomly-displayed picture will start playing. As such, still picture reproduction in Ando is not asynchronous from audio reproduction or independent of audio reproduction.

None of Seo, Ando, or Kato complementarily cure the differences between Kato and Ando and claim 1 discussed above. Particularly, Seo and Ando do not disclose clip files with in-points and out-points for presentation data but not including audio data, and Seo and Kato do not disclose still picture reproduction asynchronous or without audio data. Because Kato, alone or in combination with Ando and Seo, fails to teach or suggest each and every feature of claim 1, these references cannot anticipate or render obvious claim 1. Claims 26-29 are amended to recite the same features of claim 1 not found in the references and are thus equally allowable. Claims 2-11, 32-35, 39-42, 46-49, and 53-56 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection under 35 U.S.C. § 103 to claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 is respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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